IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

-

WRIT PETITION NO : 9511 of 1998

Between:

1 V.V.Ramanamma, W/o.L.Ankaleswar Rao, R/o.7-93 A, 1st Lane,

Sampathnagar, Near M.G.Brothers, Kurnool.
2 Smt. K.Nagaratnamma, R/o. Kurnool.

..... PETITIONERS

AND

1 The Director, Women's Development & Child Welfare Department, Andhra Pradesh, Hyderabad.
2 The Regional Deputy Director, Women & Child Welfare, Kurnool
3 The District Collector, Kurnool District.
4 The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction to call for the records pertaining to the petitioners with regard to the selections conducted on 5.11.1996 and 7.6.1997 by the respondents and for passing appropriate orders.

Counsel for the Petitioners : SMT.K.ANNAPURNA REDDY

Counsel for the Respondents : GP FOR ANIMAL HUSBANDARY

The Court made the following :

ORDER :

This Writ Petition is filed seeking a Mandamus to declare the selections for the post of Grade II Supervisor conducted on 05.11.1996 and 07.06.1997 by the respondents, as arbitrary and illegal.

The case of the petitioners is that they have been working as Anganwadi Workers in I.C.D.S. Project, Kurnool since 1983. While so, the Department issued a notification for appointment of Grade-II Supervisors for the I.C.D.S. Project in the Women Development and Child Welfare Department through G.O.Ms.No. 209, dated 28.11.1991 and G.O.Ms.No.170, dated 22.12.1992. They had applied and appeared for the written test and were also called for oral interview on 05.11.1996 and also in the month of March, 1997. When the results were declared, only 142 candidates out of 700 candidates were selected. They were not selected even though they performed well, both in written as well as oral test. Even in the further notification issued by the respondents, though they have passed the written examination, they were not selected in the oral test. According to the petitioners, to their surprise their names did not appear in the select

list. It is asserted by the petitioners that they have learnt that the select list was made with lot of over-writings and amendments. Though the Selection Committee members appreciated their performance in the oral test, they were not selected. The respondents have not given preference to their seniority. Therefore, the action of the respondents in not selecting them for the post of Grade-II Supervisor in the I.C.D.S. Project, is against the natural law and justice, equity and good conscience besides infringement of fundamental rights as enumerated in the Constitution.

A detailed counter affidavit has been filed by the respondents denying the allegations made by the petitioners. It is asserted that the procedure as required under the law for the selection of Grade-II Supervisors in the I.C.D.S. Project, was strictly followed and though the petitioners have passed the written test, they could not succeed in the oral interview and therefore, they were not selected. The allegation that the select list was prepared with lot of over-writings and amendments, was denied as false. It is further asserted that there were no over-writings and amendments in the selection list. The contention of the petitioners that their seniority should have been taken into consideration is without any substance and sought for dismissal of the writ petition.

I have given my anxious consideration to the respective submissions made by both the learned counsel and also gone through the counter affidavit and other material made available on record.

The only allegation made by the petitioners is that they are seniors and their seniority has been ignored by the Selection Committee and there were some over-writings and amendments in the selection list; therefore, the selection process was not properly conducted. Except making this allegation, absolutely there is no material placed before the Court to show that the selection was not made properly as per the guidelines issued by the Government from time to time. The allegation of the petitioners that there were some

over-writings and amendments in the selection list has been categorically denied by the respondents in the counter affidavit. The selections were made way back in 1996 and 1997 and the petitioners have not made out any case for interference by this Court.

Therefore, the writ petition fails and it is accordingly dismissed. No order as to costs.

However, this order will not preclude the petitioners from applying for the future selections, if any, notified by the respondents and the respondents shall consider the case of the petitioners on their own merit without being influenced by any observations made in this order.

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C.V.RAMULU, J

Dt: 07-06-2005.

ajr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Director, Women's Development & Child Welfare Department, Andhra Pradesh, Hyderabad.
2 The Regional Deputy Director, Women & Child Welfare, Kurnool
3 The District Collector, Kurnool District.
4 The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

5 Two C.Cs. to the GP for Animal Husbandary, High Court buildings,

Hyderabad. (OUT)

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